REMARKS/ARGUMENTS

In the Office Action mailed April 18, 2006, claims 1-24 were rejected. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

No claims have been amended. No claims have been added. As such, claims 1-24 remain pending.

CLAIM REJECTIONS – 35 U.S.C. § 102(e)

Claims 1, 3, 4, 11, 12, 14, 15, 17, 18, and 21-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated over United States Patent No. 7,003,560 to Mullen *et al.* (hereafter referred to as "Mullen"). In light of the following remarks, Applicants respectfully submit that these claims are allowable.

To anticipate a claim, the reference must teach every element of the claim. MPEP § 2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631, (Fed. Cir. 1987) (cited in MPEP § 2131). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) (cited in MPEP § 2131).

Regarding claims 1, and 17, the Office Action states that Mullen teaches a method for accessing a Baan server as claimed. Regarding claim 11, the Office Action states that Mullen teaches a system for accessing a Baan server as claimed. The Applicants respectfully disagree. Mullen merely discloses execution architecture for a data warehouse computing system including a server connected to a client. Mullen specification, col. 2, lines 35-37.

In particular, at the text cited in the Office Action, Mullen merely discloses that "[t]he development architecture 50 is used to design, build and enhance the data warehouse computing system 20." Col. 6, lines 31-33. Mullen further discloses that "[t]he development architecture 50 includes . . . several systems building tools 68." Col. 11, lines 29-32; FIG. 5. "The system building tools 68 are the core of the development architecture 50 and are used to design, build, maintain, and monitor applications used on the data warehouse computing system 20." Col. 15, lines 48-51; FIGS. 5, 10. "The preferred system building tools 68 may be selected from the group consisting of analysis and design tools 174; reverse engineering tools 176; construction tools 178; testing tools 180; and configuration management tools 182." Col. 15, lines 44-48. Mullen further discloses that "construction tools 178 of the system building tools 68 are used to program, or build, applications, client 26 and server 16 source code, windows or screens, reports, and databases." Col. 18, lines 12-15; FIG. 10. Mullen further discloses that "[t]he source code editor tools are used to enter and edit source code for a particular application," and that "[t]ypically, editors are provided by an integrated development editor (IDE)." Col. 18, lines 48-50. Mullen further states that the "[c]ompiler/linker/interpreter/debugger tools are usually part of an (IDE)." Col. 19, lines 30-31. Finally, Mullen states that "a compiler/linker converts source code to executable code and packages it into a runtime module." Col. 36-37. Mullen then observes that "[a]n interpreter executes the source code directly . . . [and that] Java and Visual Basic are the best known interpreted languages." Col. 19, lines 39-44. **Therefore, the portion of the specification cited in the Office Action (col. 19, lines 35-44 and col. 6, lines 25-58) that mentions Visual Basic merely is discussing one type of interpreted language used by the disclosed system only for DEVELOPING the data warehouse computing system 20.**

Thus, at least for the reasons above, regarding claim 1, Mullen does not disclose, as is claimed, sending data from a Visual Basic program to an application function server of the Baan server; receiving the data at the Baan server; utilizing the application function server to communicate the data to at least one software object of the Baan server to generate at least one Baan session object; utilizing the Visual Basic program to communicate with the at least one Baan session object via the application function server; and storing information in the Baan server in response to the received data, as claimed.

Thus, at least for the reasons above, regarding claim 11, Mullen does not disclose a system for accessing a Baan server comprising: a network server containing a Visual Basic program; a Baan server, wherein the Visual Basic program is used to access the Baan server; means for sending data from a Visual Basic program to an application function sever of the Baan server, means for receiving the data at the Baan server, means for utilizing the application function server to communicate the data to at least one software object of the Baan server to generate at least one Baan session object, means for utilizing the Visual Basic program to communicate with the at least one Baan session object via the application function server, and means for storing information disposed in the Baan server in response to the received data, as claimed.

Thus, at least for the reasons above, regarding claim 17, Mullen does not disclose a system for accessing a Baan server, comprising a computer means for accessing a network server, a network server means for accessing a Baan server through a Visual Basic program, a Baan software means for managing and processing data as directed by the computer means, means for sending data from a Visual Basic program to an application function server of the Baan server, means for receiving the data at the Baan server, means for utilizing the application

function server to communicate the data to at least one software object of the Baan server to

generate at least one Baan session object, means for utilizing the Visual Basic program to

communicate with the at least one Baan session object via the application function server, and

means for storing information disposed in the Baan server in response to the received data, as

claimed.

Thus, independent claims 1, 11, and 17 are believed to be directed to patentable subject

matter. Dependent claims 3 and 4 depend directly or indirectly from claim 1, dependent claims

12, and 14-15 depend directly or indirectly from claim 11 and claim 18 depends directly or

indirectly from claim 17, respectively, define patentable subject matter at least by virtue of their

dependency as well as for the additional features they recite. Accordingly, withdrawal of the

rejections under 35 U.S.C. § 102(e) is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

The Examiner rejected claims 2, 5-10, 13, 16, 19, and 20 under 35 U.S.C. § 103(a) as

being unpatentable over Mullen in view of U.S. Patent No. 6,405,111 to Rogers, et al.

(hereinafter referred to as "Rogers").

Rogers discloses a system and method for distributed computer automotive service

equipment. More specifically, Rogers discloses a computerized automotive service equipment

system adapted to access remotely located computer systems to retrieve or exchange data and/or

software applications, or to undergo live or real-time and two-way interaction. As discussed

above, Mullen does not anticipate claims 1, 11, and 17 of the present application.

Thus, in view of the discussion above regarding Mullen, independent claims 1, 11, and 17

are believed to be directed to patentable subject matter. Dependent claims 2, and 5-10 depend

directly or indirectly from claim 1, dependent claims 13 and 16 depend directly or indirectly

from claim 11 and claims 19 and 20 depend directly or indirectly from claim 17, respectively,

define patentable subject matter at least by virtue of their dependency as well as for the

additional features they recite. Accordingly, withdrawal of the rejections under 35 U.S.C. §

103(a) is respectfully requested.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request all the objections and

rejections to the specification and claims be removed. If, for any reason, the Examiner disagrees,

please call the undersigned attorney at 202-861-1610 in an effort to resolve any matter still

outstanding before issuing another action. The undersigned attorney is confident that any issue

which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension

of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No.

50-2036 with reference to Attorney Docket No.87354.3161.

Respectfully submitted,

BAKER & HOSTETLER LLP

Dennis P. Cawley
Reg. No. 44,598

Date: 8/18/2006
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783